

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-1449

DERRICK HUGH DEHANEY,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A24-359-931)

Submitted: February 11, 1997

Decided: March 25, 1997

Before HAMILTON, WILLIAMS, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jeffrey Kantor, Arlington, Virginia, for Petitioner. Frank W. Hunger, Assistant Attorney General, William J. Howard, Vernon Benet Miles, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Derrick Dehaney petitions for review of a final order of the Board of Immigration Appeals (Board) denying his application for a waiver of inadmissibility. Dehaney does not dispute that he was properly found deportable based on his violation of controlled substance laws. He challenges only the findings of the Board and the Immigration Judge that he was not entitled to a waiver of deportability.

Section 440(a) of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), Pub. L. No. 104-132, 110 Stat. 1214, which amends section 106(a)(10) of the Immigration and Nationality Act (INA), provides that final orders of deportability based on the alien's violation of controlled substance laws are no longer subject to judicial review. See Kolster v. INS, 101 F.3d 785, 789-90 (1st Cir. 1996); Salazar-Haro v. INS, 95 F.3d 309, 310-11 (3d Cir. 1996) (citing additional cases). Accordingly, we dismiss this appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED